

United States Court of Appeals
Fifth Circuit

UNITED STATES COURT OF APPEALS

FILED

January 23, 2013

FOR THE FIFTH CIRCUIT

Lyle W. Cayce
Clerk

No. 11-11080

D.C. Docket No. 3:10-CV-322

FACTORY MUTUAL INSURANCE COMPANY,

Plaintiff - Appellee

v.

ALON USA L.P.; ALON USA GP L.L.C.; ALON USA REFINING
INCORPORATED,

Defendants - Appellants

Appeal from the United States District Court for the
Northern District of Texas, Dallas

Before WIENER, CLEMENT, and PRADO, Circuit Judges.

J U D G M E N T

This cause was considered on the record on appeal and was argued by
counsel.

It is ordered and adjudged that the judgment of the District Court is
affirmed.

IT IS FURTHER ORDERED that each party bear its own costs on
appeal.

ISSUED AS MANDATE: 14 FEB 2013

A True Copy
Attest

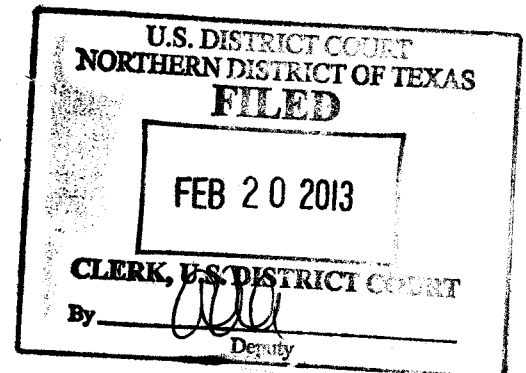
14 FEB 2013

Clerk, U.S. Court of Appeals, Fifth Circuit

By: *Danrell Johnson*

Deputy

New Orleans, Louisiana



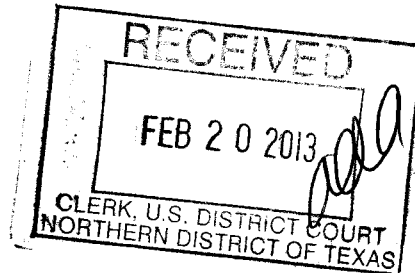
United States Court of Appeals
FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
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February 14, 2013

Ms. Karen S. Mitchell
Northern District of Texas, Dallas
United States District Court
1100 Commerce Street
Earle Cabell Federal Building
Room 1452
Dallas, TX 75242



No. 11-11080,
Factory Mutual Insurance, Co. v. Alon USA, L.P., et al
USDC No. 3:10-CV-322

Enclosed, for the district court only, is a copy of the judgment issued as the mandate and a copy of the court's opinion.

Exhibits to be returned.

The electronic copy of the record will be recycled.

Sincerely,

LYLE W. CAYCE, Clerk

Dantrell L. Johnson
By: _____
Dantrell L. Johnson, Deputy Clerk
504-310-7689

cc: (letter only)
Honorable David C. Godbey
Mr. John Clifton Hart
Mr. Richard Russell Hollenbeck
Mr. Bruce H. Rogers
Mr. Thomas Clark Wright
Ms. Jessica Ann Zavadil

P.S. to Judge Godbey: A copy of the opinion was sent to your office via email the day it was filed.